

Entered - 01-15-02 - sb
CL - 02L0044 ALEXIS HOLMES

CLAIM OF: **CURTIS MOSLEY, JR.**

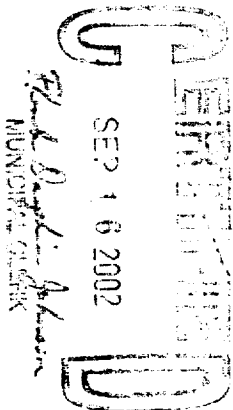
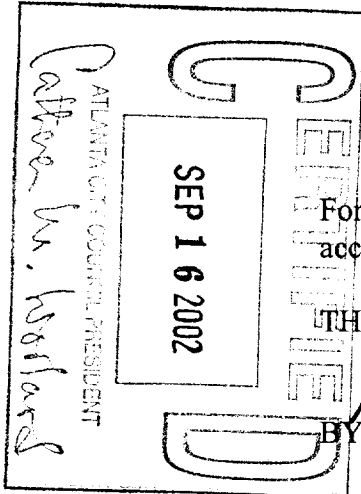
Through his attorney
John C. Forbes, Esq.
1355 Peachtree Street
The Peachtree, Suite 1000
Atlanta, Georgia 30309

02- R -1524

For damages alleged to have been sustained as a result of a vehicular
accident on November 9, 2001 at Fair Drive, SW.

THIS ADVERSE REPORT IS APPROVED

BY: Rosalind Rubens Newell
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY



ADVERSE REPORT SEP 16 2002

ADVERSE REPORT

PUBLIC SAFETY &

LEGAL ADMINISTRATION COMMITTEE

DATE: 9/16/02

CHAIR: C. T. Mosley

John C. Forbes

John C. Forbes

John C. Forbes

John C. Forbes

John C. Forbes

John C. Forbes

John C. Forbes



OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

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SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
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September 23, 2002

John C. Forbes
Attorney at Law
1355 Peachtree Street
The Peachtree, Suite 1000
Atlanta, GA 30309

02-R-1524

RE: Curtis Mosley, Jr.

Dear Attorney Forbes:

I sincerely regret that your client has been adversely affected by the circumstances raised in his/her claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your client's claim at its regular meeting on September 16, 2002. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the City Attorney's Office/Claims Division at (404) 330-6400.

Yours very truly,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0044

Date: 08/22/02

Claimant/Victim CURTIS MOSELY, JR.
BY: (Atty) (Ins. Co.) John C. Forbes
Address: 1355 Peachtree Street, The Peachtree Ste. 1000 Atlanta, GA 30309
Subrogation: Claim for Property damage \$ Unspecified Bodily Injury \$ Unspecified
Date of Notice: 01/09/02 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 11/09/01 Place: Fair Drive SW
Department Public Works Division Traffic and Transportation
Employee involved Willie Frank Renfroe Disciplinary Action: Pending

NATURE OF CLAIM: Claimant sustained personal injuries and vehicular damages when a City vehicle crossed over a yellow median line in the road and struck the claimant's vehicle head-on. However, the claimant has rejected the City's settlement offer.

INVESTIGATION:

Statements: City employee X Claimant X Others Written X Oral X
Pictures Diagrams X Reports: Police X Dept Report X Other
Traffic citations issued: City Driver Claimant Driver
Citation disposition: City Driver Claimant Driver


BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial
Improper Notice More than Six Months Other X Damages reasonable
City not involved Offer rejected Compromise settlement
Repair/replacement by Ins. Co. Repair/replacement by City Forces
Claimant Negligent City Negligent X Joint Claim Abandoned

Respectfully submitted,


INVESTIGATOR - ALEXIS HOLMES

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01 2P01
Claims Manager:  Concur/date 08-29-02
Committee Action: Council Action

RCS# 3984
9/16/02
2:03 PM

Atlanta City Council

Regular Session

CONSENT I Pgs. 1-14; except 02-O-1591; 02-O-1592
 02-R-1589; 02-R-1540; 02-R-1542
 ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	B Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

		09/16/02 Council Meeting
ITEMS ADOPTED ON CONSENT AGENDA		ITEMS ADVERSE ON CONSENT AGENDA
1. 02-O-1453	43. 02-R-1509	45. 02-R-1502
2. 02-O-1586	44. 02-R-1510	46. 02-R-1503
3. 02-O-1496		47. 02-R-1504
4. 02-O-1389		48. 02-R-1505
5. 02-O-1390		49. 02-R-1506
6. 02-O-0791		50. 02-R-1511
7. 02-O-1258		51. 02-R-1512
8. 02-O-1298		52. 02-R-1513
9. 02-O-1391		53. 02-R-1514
10. 02-O-1395		54. 02-R-1515
11. 02-O-1450		55. 02-R-1516
12. 02-R-1535		56. 02-R-1517
13. 02-R-1541		57. 02-R-1518
14. 02-R-1546		58. 02-R-1519
15. 02-R-1526		59. 02-R-1520
16. 02-R-1527		60. 02-R-1521
17. 02-R-1528		61. 02-R-1522
18. 02-R-1529		62. 02-R-1523
19. 02-R-1530		63. 02-R-1524
20. 02-R-1531		64. 02-R-1525
21. 02-R-1532		
22. 02-R-1560		
23. 02-R-1561		
24. 02-R-1615		
25. 02-R-1563		
26. 02-R-1564		
27. 02-R-1565		
28. 02-R-1566		
29. 02-R-1568		
30. 02-R-1569		
31. 02-R-1570		
32. 02-R-1572		
33. 02-R-1573		
34. 02-R-1574		
35. 02-R-1487		
36. 02-R-1533		
37. 02-R-1557		
38. 02-R-1558		
39. 02-R-1559		
40. 02-R-1616		
41. 02-R-1507		
42. 02-R-1508		

Consent I Vote: 14Yeas; 0 Nays (See RCS #3984)

Items Removed from Consent: 02-O-1591; 02-O-1592; 02-R-1589; 02-O-1540; 02-R-1542